



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

January 5, 2016

Danny Sabbagh  
338 S. Hambledon Avenue  
La Puente, CA 91744

**REGARDING: PROJECT NO. R2014-03661-(1)  
VARIANCE NO. 201400007  
MILLS AVENUE (NO ADDRESS) (8156-028-030)**

Hearing Officer Bruce Durbin, by his action of **January 5, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **January 19, 2016. Appeals must be delivered in person.**

**Appeals:** To file an appeal, please contact:  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Michele Bush of the Zoning Permits East Section at (213) 974-6435, or by email at [mbush@planning.lacounty.gov](mailto:mbush@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

  
Maria Masis, Supervising Regional Planner  
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement

MM:MRB

**FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-03661-(1)  
VARIANCE NO. 201400007**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Variance No. 201400007 ("Variance") on January 5, 2016.
2. The permittee, Danny Sabbagh ("permittee"), requests the Variance to authorize the construction of a new single-family residence on a legal, undersized 2,700 sq. ft. lot (RCOC 201300153) ("Project") on a property located on Mills Avenue (no address) in the unincorporated community of South Whittier-Sunshine Acres ("Project Site") in the R-A-6,000 (Residential Agricultural-6,000 sq. ft. minimum lot area) zone pursuant to Los Angeles County Code ("County Code") section 22.56.290. The Variance is required to allow a 10 foot front yard setback, to observe a 10 foot easement along the front property line, instead of the required 20 foot setback and to allow development on the undersized parcel.
3. The Project Site is 0.06 gross acre in size and consists of one legal lot. The Project Site is triangular in shape with relatively flat topography and is currently vacant.
4. The Project Site is located in the Southeast Whittier Zoned District and is currently zoned R-A-6,000.
5. The Project Site is located within the P – Public and Semi-Public Facilities land use category of the Countywide Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:  
  
    North: R-1 (Single-Family Residence)  
    South: R-A-6,000  
    East: R-A-6,000  
    West: R-A-6,000
7. Surrounding land uses within a 500-foot radius include:  
  
    North: Single-Family Residential  
    South: Coyote Creek Channel and Single-Family Residential  
    East: Single-Family Residential  
    West: Elementary School
8. A Certificate of Compliance (RCOC 2013000153) was issued for the subject property on June 12, 2014. The Certificate noted that prior to any construction or grading on the subject parcel, the property owner must acquire an approved Director's Review, Lot Line Adjustment or Variance as deemed adequate for the mitigation of any negative effect of the undersized parcel.

9. The site plan for the Project depicts the triangular lot developed with a 2-story, 1,806.3 sq. ft. single-family residence which includes an attached 2-car garage, three bedrooms, new driveway and landscaping.
10. The Project Site is accessible via Mills Avenue to the south. Primary access to the Project Site will be via a new driveway on Mills Avenue.
11. Based on a letter from the County of Los Angeles Fire Department, dated September 11, 2015, the Fire Department recommends clearance of this Project to proceed to public hearing as presently submitted with conditions of approval, which have been attached to the conditions of approval for the Project.
12. Based on a letter from the County of Los Angeles Department of Public Works, dated October 20, 2015, Public Works has no objections to this variance if ultimately approved by the advisory agency.
13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project consists of a variance to allow the construction of one single-family residence on a lot that is zoned for single-family residential use.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Staff has not received any comments from the public at this time.
16. A duly noticed public hearing was held on January 5, 2016 before Hearing Officer Bruce Durbin. The applicant, Danny Sabbagh, was present to answer questions regarding the Project. The Hearing Officer expressed concern with the potential for driveway parking extending across the sidewalk and directed staff to add a condition of approval stating that vehicles shall not encroach on nor extend over any sidewalk. Condition No. 18 has been added to the conditions of approval to reflect this modification. There being no further testimony, the Hearing Officer closed the public hearing and approved the Project with revised Conditions of Approval as agreed to by the applicant.
17. The Hearing Officer finds that the Project is consistent with the goals and policies of the Countywide General Land Use Plan. The subject property is located within the P – Public and Semi-Public Facilities land use category. This designation typically provides for the continued operation, expansion and construction of new public and semi-public facilities, as necessary, to serve current and future County residents. However, alternative uses compatible with surrounding development, in keeping with community character, and consistent with the intent of overall Plan objectives may

be permitted. The proposed single-family residence is consistent and compatible with surrounding single-family residential uses.

18. The Hearing Officer finds that the Project is consistent with the Zoning Code. Section 22.20.410 of the County Code permits single-family residential uses in the R-A zone. Pursuant to Section 22.20.120 of the County Code, single-family residential developments within the R-A zone shall have front yard setbacks of at least 20 feet, side yard setbacks of at least five feet and rear yard setbacks of at least 15 feet. Due to the lot's and small size shape, the variance is required to allow a 10 foot front yard setback, to observe a 10 foot easement along the front property line, instead of the required 20 foot setback. Section 22.56.260 of the County Code permits the modification of building line setbacks and yards, provided a variance has first been obtained. All other setback requirements will be met.
19. The Hearing Officer finds that there are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical classification. Due to the lot's irregular shape and small size, the variance is required to allow a 10 foot front yard setback, to observe a 10 foot easement along the front property line, instead of the required 20 foot setback.
20. The Hearing Officer finds that such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone. Section 22.20.410 of the County Code permits single-family residential uses in the R-A zone. The variance is required to observe a 10 foot easement along the front property line. The proposed single-family residence is a by-right use and would be allowed without a variance under typical circumstances. The proposed project is consistent and compatible with surrounding single-family residential uses.
21. The Hearing Officer finds that the granting of the variance will not be materially detrimental. The variance would not permit a development that is not allowed in the R-A zone under County Code. The variance will not grant a development which would violate any additional Zoning Code requirements, all other existing development standards, height limits, yard requirements, and parking for single-family residences in the R-A zone will be met. The Project would not be detrimental to the prevailing character of the neighborhood.
22. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of Southeast Whittier community. On November 19, 2015, a total of 66 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as three notices to those on the courtesy mailing list for the Southeast Whittier Zoned District and to any additional interested parties.

23. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion or Conversion of Small Structures categorical exemption); and
- 2. Approves Variance 201400007, subject to the attached conditions.

**ACTION DATE: JANUARY 5, 2016**

MM:MRB  
01/05/16

c: Zoning Enforcement, Building and Safety



**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-03661-(1)  
VARIANCE NO. 201400007**

**PROJECT DESCRIPTION**

The project is a request for a Variance to authorize the construction of a single-family residence on a legal, undersized lot (RCOC 201300153) with a 10 foot front yard setback, to observe a 10 foot easement along the front property line, instead of the required 20 foot setback and to allow development on the undersized parcel subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
10. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department and conform to the conditions of approval as stated in the County of Los Angeles Fire Department, Fire Prevention Division, letter dated September 11, 2015.
11. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works, as stated in the County of Los Angeles Department of Public Works letter, dated October 20, 2015, to the satisfaction of said department.

12. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
13. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
14. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

15. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **March 5, 2016**.
16. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PROJECT SITE SPECIFIC CONDITION

17. The grant shall authorize the construction of a new 1,806.3, single-family residence on a legal, undersized 2,700 sq. ft. lot, with a 10 foot front yard setback along the front property line and the development on the undersized parcel.
18. Parked vehicles shall not encroach on nor extend over any sidewalk.

#### Attachments:

Fire Department Letter dated September 11, 2015  
Public Works Letter dated October 20, 2015





**COUNTY OF LOS ANGELES FIRE DEPARTMENT  
FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, CA 90040  
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-03661                      MAP DATE: 08/27/15  
LOCATION: Mills Avenue (No Address) APN 8156-028-030  
PLANNER: Michele Bush

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**REVISED CONDITIONS: Supersedes Fire Dept. Comments Dated 09/02/15**

**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO  
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE  
FOLLOWING CONDITIONS OF APPROVAL.**

**CONDITIONS OF APPROVAL – ACCESS**

1. Provide a minimum unobstructed width of 20 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.1
  - a. Mills Avenue meets this requirement.
2. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

**CONDITIONS OF APPROVAL – WATER SYSTEM**

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4



**COUNTY OF LOS ANGELES FIRE DEPARTMENT  
FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, CA 90040  
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-03661

MAP DATE: 08/27/15

LOCATION: Mills Avenue (No Address) APN 8156-028-030

PLANNER: Michele Bush

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3. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for 2 hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply too Table B105.1 of the Fire Code in Appendix B.
  - a. The fire flow test performed on 09/02/2015 by the Orchard Dale Water District is adequate for this project.
4. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at [Wally.Collins@fire.lacounty.gov](mailto:Wally.Collins@fire.lacounty.gov).



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

October 20, 2015

IN REPLY PLEASE

REFER TO FILE: LD-2

TO: Maria Masis  
Zoning Permits East Area  
Department of Regional Planning

Attention Michele Bush

FROM: Art Vander Vis  
Land Development Division  
Department of Public Works

### SITE PLAN REVIEW

VAR 201400007, PROJECT NO. R2014-03661-(1)

ASSESSOR MAP BOOK NO. 8156, PAGE 28, PARCEL NO. 30

UNINCORPORATED COUNTY AREA OF WHITTIER

- ☒ Public Works has no objections to this variance if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed.

Thank you for the opportunity to review the site plan associated with APN 8156-028-030 in the unincorporated County area of Whittier. The applicant is requesting a front-yard setback variance from 20 feet to 10 feet to accommodate the construction of a 1,500-square-foot, two-story, single-family residence and attached 2-car garage on a 2,700-square-foot lot. Since the existing road right of way is located 50 feet from the centerline of Mills Avenue along the property frontage, the requested front-yard setback reduction would allow a structure to be built 60 feet from the centerline of Mills Avenue.

Public Works has no objections to this variance if it is ultimately approved by the advisory agency. Any requests for structures to be built closer than 60 feet from the centerline of Mills Avenue are subject to review by Public Works.

Maria Masis  
October 20, 2015  
Page 2

Per Title 22 of the County Code, single-family residences are not subject to road improvements or right-of-way dedication requirements. Please note, however, any work within the road right of way, such as the construction of the new driveway on Mills Avenue, will require an encroachment permit from Public Works' Land Development Division, Encroachment Permit and Subdivision Section.

If you have any questions regarding our review, please contact Ed Gerlits of Public Works' Land Development Division at (626) 458-4953 or [egerlits@dpw.lacounty.gov](mailto:egerlits@dpw.lacounty.gov).

ECG:tb

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